



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8**

1595 Wynkoop Street
DENVER, CO 80202-1129
Phone 800-227-8917
<http://www.epa.gov/region08>

Ref: 8EPR-N

December 17, 2007

Charles S. Richmond
Forest Supervisor
USDA Forest Service
2250 Highway 50
Delta, CO 81416

Re: Bull Mountain Natural Gas Pipeline
Final EIS; CEQ # 20070491

Dear Mr. Richmond:

In accordance with our responsibilities under the National Environmental Policy Act (NEPA) and Section 309 of the Clean Air Act, the U.S. Environmental Protection Agency Region 8 (EPA) has reviewed the Final Environmental Impact Statement (FEIS) for the Bull Mountain Natural Gas Pipeline (BMNGP) project. The proposed project is located on public lands administered by the Bureau of Land Management (BLM) Glenwood Springs Field Office, and National Forest System lands administered by the Grand Mesa-Uncompahgre and Gunnison National Forests (GMUG) and the White River National Forest (WRNF). The BLM and the Forest Service (FS) are joint lead agencies for this project. Herein we provide additional comments related to the impacts of the preferred alternative on inventoried roadless areas that would be affected and our assessment of your responses to our comments at the DEIS stage.

With this project the proponent SG Interests I, LTD (SG) proposes to construct, operate, and maintain a single 25.5-mile pipeline and related facilities that would cross portions of public lands in Gunnison, Delta, Mesa and Garfield counties in the State of Colorado. A 20-inch pipeline would distribute natural gas from an existing pipeline at the Divide Creek Compressor Station south to a proposed Bull Mountain Compression Station (located on private land). The pipeline would be installed in a new 50-foot Right-of-Way (ROW) adjacent to an existing ROW for the Ragged Mountain gas pipeline. The BMNGP project involves two connected actions that take place on private lands. These are: (1) construction and operation of the Bull Mountain compressor station and natural gas processing facility at the south end of the pipeline, and (2) pipeline operational facilities located at the existing Divide Creek Compression Station.

EPA finds that the FEIS assesses impacts, mitigation measures, and a number of applicable monitoring, maintenance and closeout requirements, that are recommended for adoption in the Plan of Development from SG. EPA continues to have concerns with the potential environmental impacts from the project but we think that the final document addresses many of our original concerns that the DEIS did not contain sufficient information on the

impacts to wetlands. This information on the impacts to wetlands from the preferred pipeline routing as surveyed by Cirrus is now available and documented in the administrative record.

With respect to wetlands and riparian areas, we appreciate the Forest Service's effort to quantify all wetlands within the proposed pipeline alignment before construction (Response #54.7), but we feel it necessary to promote a regulatory determination that 'fens' have been identified as ecologically significant aquatic resources by the U.S. Army Corps of Engineers (USACE). As a result, USACE has issued language on its website providing regional conditions for Nationwide Permits (NWP), effective November 30, 2007, that would revoke the use of the Nationwide Permit for utility lines (NWP #12) and roads (NWP #14) in fens throughout Colorado (see <https://www.nwo.usace.army.mil/html/od-tl/nationwidepermits.html>). Accordingly, the Forest Service must insure that fens and peat lands are delineated by the project proponent prior to construction and are avoided by the pipeline corridor. Should fens or areas of peat be identified that cannot be avoided by the project through redesign of the alignment, then an Individual Permit application will need to be filed with the USACE field office in Grand Junction, Colorado (970-243-1199). In addition, we also refer you to the USACE requirement for Pre-construction Notification for NWP #12 and #14 for all utility lines and roads crossing perennial waters or special aquatic sites (including wetlands) in accordance with General Condition 27 in the Colorado River Basin.

EPA re-emphasizes our initial comments recommending disclosure of the greenhouse gas emissions associated with the preferred alternative and assessment of mitigation measures, including control technologies for carbon dioxide and other greenhouse gas emissions.

We request that additional information, mitigation, and monitoring be included in the Record of Decision and Plan of Development (POD) regarding wetlands, upland vegetation, and riparian resources and we suggest additional BMPs that may reduce impacts to affected wetlands. Finally, EPA supports the Forest Service's statement that their final decision for this project must comply with the legal determination for the Roadless Rule that is in effect at the time of this decision. We believe it is appropriate and important to have your support and commitment to all mitigation activities and BMPs placed in the POD to help insure enforceability.

We appreciate the opportunity to participate in this project and we are available to discuss these comments further. If you have any questions or would like to discuss our comments, please contact me (303-312-6004) or James Hanley (303-312-6725) of my staff.

Sincerely,

/s/

Larry Svoboda
Director, NEPA Program
Office of Ecosystems Protection
and Remediation

Copy:

Jamie Connell
BLM Glenwood Springs
50629 Highways 6 & 24
Glenwood Springs, CO 81601



Printed on Recycled Paper